

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

DAMONIE EARL, LINDA RUGG, ALESA  
BECK, TIMOTHY BLAKEY, JR.,  
STEPHANIE BLAKEY, MARISA  
THOMPSON, MUHAMMAD MUDDASIR  
KHAN, ELIZABETH COOPER, JOHN  
ROGERS, VALERIE MORTZ-ROGERS, and  
LAKESHA GOGGINS, each individually and  
on behalf of all others similarly situated,

*Plaintiffs.*

v.

THE BOEING COMPANY,  
SOUTHWEST AIRLINES CO.,

*Defendants.*

Civil Action No. 4:19-cv-00507

**PLAINTIFFS' NOTICE REGARDING DEFENDANTS' REPLY  
TO HECHT PARTNERS LLP'S RESPONSE TO MOTION PURSUANT TO  
COURT ORDER DOCKET NO. 115 TO SHOW AUTHORITY TO ACT (ECF NO. 141)**

Yesterday afternoon (June 29, 2020), Defendants filed a Reply to Hecht Partners LLP's Response to Motion Pursuant to Court Order Docket No. 115 to Show Authority to Act. (ECF No. 141.) Defendants' filing states that "various law firms spawned from Pierce Bainbridge . . . have agreed (apparently in writing) to share responsibility as co-counsel." (*Id.* at 2.)

Defendants' assertion may or may not be true as to the two law firms simultaneously claiming to act as Pierce Bainbridge in this matter—(1) Pierce Bainbridge Beck Price & Hecht LLP (*see* ECF No. 139 at 2 ("Messrs. Hecht and Lorin remain at PB.")) and (2) Hecht Partners LLP (*see* ECF No. 136 at 1 (describing "Hecht Partners LLP . . . as successor to Pierce Bainbridge Beck Price & Hecht LLP . . . in connection with this action"))—but Plaintiffs' counsel at Bathae

Dunne LLP (“BD”), Dovel & Luner LLP (“Dovel”), and Capshaw DeRieux LLP (“Capshaw”) have never seen evidence of any such agreement.

As to Plaintiffs’ counsel who do *not* claim to act as Pierce Bainbridge in this case—BD, Dovel, and Capshaw<sup>1</sup>—none of these firms have agreed to “share responsibility” for this case (or have any other agreements with) with David Hecht; Andrew Lorin; any other attorney at Hecht Partners; or Hecht Partners LLP itself. Defendants’ apparent confusion—and the inconsistent positions taken *in this case* by putative Hecht Partners LLP lawyers David Hecht and Andrew Lorin as to whom they are working (and, potentially, billing) for—further indicates the need for a formal appointment of BD as interim lead class counsel pursuant to Federal Rule of Civil Procedure 23(g)(3), a motion for which is fully briefed and currently pending before the Court. (ECF No. 99.)

Dated: June 30, 2020

/s/ Brian J. Dunne  
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<sup>1</sup> Although neither BD, nor Dovel, nor Capshaw was “spawned from Pierce Bainbridge,” Defendants elsewhere reference “Plaintiffs’ counsel” and “counsel for the named Plaintiffs” in their filing.

**CERTIFICATE OF SERVICE**

I hereby certify that on June 30, 2020, a true and correct copy of the above was served via email through the Eastern District of Texas's CM/ECF system.

/s/ Brian J. Dunne  
Brian J. Dunne